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3629 1/6/04  
PATENTS  
ODS-11



**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re : Jon C. Zaring et al.  
application of

Application No. : 09/516,736 Confirmation No. : 3221

Filed : March 1, 2000

For : CELLULAR TELEPHONE INTERACTIVE  
WAGERING SYSTEM

Group Art Unit : 3629

Examiner : Richard S. Woo

**RECEIVED**

DEC 29 2003

**GROUP 3600**

New York, New York 10020  
December 17, 2003

Mail Stop AF  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**NOTICE OF APPEAL**

Sir:

Applicants hereby appeal to the Board of Appeals  
from the decision of the Primary Examiner mailed June 17,  
2003 in which the rejection of claims 1-71 was made final.

- Applicants respectfully request an oral hearing  
before the Board of Appeals. The appropriate fee is  
submitted herewith.
- The appropriate fee for a two-month extension of time  
to respond to the final rejection was paid on \_\_\_\_\_.
- An additional three-month extension of time to respond  
to the final rejection is requested and the appropriate  
extension fee is submitted herewith.

Express Mail No.  
EV 132188185 US

Address all correspondence to:

Philip R. Poh  
FISH & NEAVE  
1251 Avenue of the Americas  
New York, New York 10020-1105  
Tel.: (212) 596-9000

A check in the amount of  \$330.00  \$660.00 in payment of the  appeal fee,  appeal and oral hearing fees, is enclosed.

The Director is hereby authorized to charge payment of any additional appeal fee, oral hearing fee, or both, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal form is enclosed.

EXTENSION FEE

The following extension fee is applicable to the Notice of Appeal filed herewith;  \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a)(1);  \$420.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a)(2);  \$950.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a)(3);  \$1,480.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a)(4);  \$2,010.00 extension fee for fifth month pursuant to 37 C.F.R. 1.136(a)(5).

A check in the amount of  \$110.00;  \$410.00;  \$950.00;  \$1,480.00;  \$2,010.00; in payment of the extension fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



Philip R. Roh  
Registration No. 51,176  
Agent for Applicants  
FISH & NEAVE  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicants : Jon C. Zaring et al.

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December 17, 2003

EXPRESS MAIL CERTIFICATION

Express Mail Label No. EV 132188185 US

Date of Deposit: December 17, 2003

I hereby certify that this certification and the  
following papers and fees:

1. Notice of Appeal (in duplicate);
2. Check in the amount of \$1280.00 (\$330.00 for  
appeal fee and \$950.00 for extension fee);  
and
3. Postcard.

are being deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service under  
37 C.F.R. § 1.10 on the date indicated above and are  
addressed to Mail Stop AF, Hon. Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Claire J. Saintil-van Goodman